

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Luis Caraballo

v.


06-cv-433-SM

Federal Medical Center

ORDER

Re: Document No. 1, Petition for Writ of Habeas Corpus Under
28 U.S.C. §§ 2241

Ruling: Petitioner seeks to challenge the conditions of his confinement in FMC Devens, located in Ayer, Massachusetts, by means of a petition for habeas corpus relief filed under the provisions of 28 U.S.C. §§ 2241. Jurisdiction over a petition filed under Section 2241 properly lies in the district in which the petitioner is being held in custody, here, the District of Massachusetts. See United States v. Barrett, 178 F.3d 34, 50 n. 10 (1st Cir. 1999). Accordingly, the petition is dismissed for lack of jurisdiction, without prejudice to petitioner's refiling in the District of Massachusetts.


Steven J. McAuliffe
Chief District Judge

Date: December 13, 2006

cc: Luis Caraballo, pro se
Terry Ollila, AUSA